[श्री अश्विनी कुमार]

आपके सामने रख रहा हूं जो आपने विचार किए हैं ।

उपसभाध्यक्ष (श्री हेच० हनुमनतप्पा): अभी आपको खत्म करना चाहिए ।

श्री अश्विनी कुमार : एक विषय की ओर कहना चाहूंगा । डी–लिमिटेशन के बारे में कहना चाहता हूं । आपने अन्यों को बहुत समय दिया । आप इतने कृपण नहीं हो जाइये । ... (व्यवधान)

उपसभाध्यक्ष (श्री हेच० हनुमनतप्पा): आपको भी समय मिला है ।

श्री अश्विनी कुमार : यह डी–लिमिटेशन जो होना है इसके अन्दर रोटेशन अत्यन्त आवश्यक है । एक कांस्टीट्यूएंसी है जो सन 1952 से लेकर आज तक शडयूल्ड कास्ट और शैडयूल्ड ट्राइब्स रिजर्व कांस्टीट्यूएंसी है, उसका बदला जाना निहायत आवश्यक है । एक जिला है जहां पर कि 15 में से 13–13 कांस्ट्रीटूयूसीज शैडयूल्ड कास्ट और शैडयूल्ड ट्राइब्स की है और 2 जनरल कांस्टीटूयूसीज है और वह इंडस्ट्रियल डिस्ट्रिक्ट हो गया है । थेरांची का उदाहरण देना चाहता हूं । वहां एच०ई०सी० और इतने बड़े–बड़े कारखाने हो गए है, उसमें सारा शैडल्यूड कास्ट और शैडल्यूल्ड ट्राइब है । इनकी रोटेशन होनी चाहिए, यह अत्यन्त आवश्यक है जैसे मेरे आदरणीय मित्र श्री गुरुपदस्वामी जी ने कहा यदि आप वास्तव में डी–लिमिटेशन करना चाहते है तो अगले सैशन के अन्दर आपको बिल पास करना चाहिए, क्योंकि डी–लिमिटेशन के लिए कम से कम दो वर्ष लगते है और पांच वर्ष के आने के पूर्व जो एक चित्र उपस्थित होता है चुनाव होने वाले है तीन वर्ष के बाद इसलिए उसके पहले हो तो ज्यादा अच्छा रहेगा । अन्त में मैं केवल इतना ह कहना चाहूंगा कि खर्चा कम करने की दृष्टि से, प्रशासनिक दृष्टि से विधान सभा और लोक सभा के चुनाव एक साथ जहां तक संभव हो कराने का प्रयत्न करें । दो और तीन महीने का अन्तर न करें । एक चीज की ओर अन्त में आपका ध्यान आकर्षिक करूंगा प्रजातंत्र की नींव जिला परिषद और ग्राम परिषद से आती है, लेकिन उनके चुनाव प्रांतों के अंदर वर्षों से नहीं हुए है, 11–12 वर्षों से नहीं हुए है । मैं आपसे निवेदन करना चाहूंगा कि आप विचार करके इलैक्शन कमीशन की जुरिडिक्शन में उसको लाएं और स्टेट इलेक्शन कमीशन बनाएं ताकि उनके भी चुनाव नियमित रूप से हर पांच साल के बाद हों । उसके बाद स्थिति आज यह है कि बिहार विधान–परिषद के अन्दर लोकल–बाडी का कोई प्रतिनिधि ही नहीं है क्योंकि चुनाव ही वहां 12 साल से नहीं हुए है और उन परिषदों के नोमीनेशन की प्रथा आज खोलने का प्रयास किया जा रहा है ।

अन्त में, मैं एक वाक्य के अन्दर मंत्री महोदय से निवेदन करना चाहूंगा कि आगे की, भविष्य की दृष्टि से एक राजनीतिक संकल्प बनाएं, एक पोलिटिकल बिल बनाएं और प्रजातंत्र को स्वस्थ और समृद्ध बनाने के लिए इन चुनाव सुधारों को शीघ्र से शीघ्र लागू करें ।

RE. MINISTRY OF FINANCE NOTIFICATIONS PROPOSED TO BE LAID ON THE TABLE OF THE HOUSE

SHRI SATYA PRAKASH MALAVIYA (Uttar Pradesh): Sir, I am on a point of order. We have received the Revised List of Business at 5.30. We have received a Supplementary List of Business according to which these notifications under the Customs Act have been issued today. My point of order is: What is the necessity that these papers should be laid on the Table of the House by the Minister concerned at 6 p.m.? They could be laid on the Table tomorrow. The Customs Act does not require that these papers should be laid on the Table on the same day on which the notifications are issued.

SHRI NIRMAL CHATTERJEE (West Bengal) Sir, I am also on a point of order This issue was raised in the past that just before the closing of Parliament Session the Finance Ministry had the habit

of issuing plenty of notifications. We took exception to that, and the Chairman, in deference to the House referred the issue to the Public Accounts Committee. The entire approach was that Parliament must be given a chance to discuss when there are any revenue implications in the Finance Ministry's proposals. The Public Accounts Committee gave its verdict as was read out by the Chairman in one of the sittings of the House during this Session. Now, the proposals as contained in these notifications do have revenue implications and are not of any ordinary type. One of the proposals says that the auxiliary duty would be increased by Rs. 100 per tonne We import millions of tonnes of crude. Just from auxiliary duty itself simple arithmetic will tell you that if the import is 1 million tonnes the yield will be Rs. 100 millions, that is, Rs 10 crores; if it is 10 million tonnes it will be Rs. 100 crores, if it is 30 million tonnes, then the yield will be Rs. 300 crores and so on. In addition, because the prices in the international market are coming down, they are resorting to a change from *ad valorem* to a specific duty of Rs. 160...

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): Instead of that narration you come to your specific point straight.

SHRI NIRMAL CHATTERJEE: My straight point is this. This has therefore, very serious revenue implications which do not permit the economy to have a lower price for petroleum products. These are the implications. Therefore, I take exception to this and I want you to give a ruling whether or not, instead of laying it as a paper on the Table of the House, it should be made as a statement on which a discussion should ensue.

SHRI M. S. GURUPADASAMY (Karnataka): Sir, I have a point of order to raise. In the ruling of the Chairman there is a specific mention when the duty crosses certain limits, that is, the yield from the changes made in the notification crosses certain limits when the volume of return as a result of these notifications is high the notifications should not be issued and Parliament should be given an opportunity to discuss the matter. So, my colleague has drawn the attention of the House. These Notifications involve a lot of money and it is not in thousands or lakhs but in crores. Therefore, laying of these Notifications on the Table of the House today contravenes the ruling of the Chairman.

May I, therefore, suggest, Sir, that this may be deferred till tomorrow and that this may be examined?

श्री कैलाश पति मिश्र (बिहार): उपसभाध्यक्ष महोदय, पहले तो जो सर्कुलेट किया गया है उसमें कहा गया है कि अंग्रेजी और हिन्दी दोनों की प्रतियां वितरित की गयी है हिन्दी की प्रतियां कहां है, मैं खोज रहा हूं, अभी तक प्राप्त नहीं हुई। महोदय, लैइंग आन द टेबिल की क्या परिभाषा है ? लगता है कि सरकार ने एक नयी परिभाषा शुरू कर दी है। जिस बात से टैक्स स्ट्रक्चर में करोड़ों रुपए के परिवर्तन का विषय जुड़ा हुआ है, संसद के अन्दर उस पर कोई चर्चा नहीं हुई। संसद चल रही है, विषय ऐसा है जिस पर बहस होनी चाहिए थी। उससे कतरा कर लगता है करोड़ों रूपए के नए, टैक्स लगा कर सरकार बिना बहस कराए, देश की आंख उस पर न पड़े इस प्रकार छिपे रूप से काम करने की कोशिश कर रही है मैं इसका सख्त विरोध कर रहा हूं और आदरणीय पुजारी जी से आग्रह करना चाहता हूं कि संसद के अन्दर यह विषय रखें, पूरी बहस करने दें। आप बहुमत में बैठे है, जो पास करानः चाहेंगे विरोधी उसको रोक नहीं सकते। यह गलत है और इसे न करें।

श्री चतुरानन मिश्र (बिहार): उपसभाध्यक्ष महोदय, पहले सभापति महोदय महोदय ने रूलिंग दी थी कि संसद को यह अवसर मिले कि ऐसे मामलात पर वह बहस कर सके, तभी नोटीफिकेशन जारी किए जायं। इसका मतबल यही थी कि हम लोग बहस करें। इसको टारपीडो करने के लिए मंत्री महोदय जब हम लोग बैठक समाप्त कर रहे है तब इसको लाकर रख दिया। यह पार्लियामेंट का डिवेल्यूएशन है। पेपर रखना कोई मुर्गी का लेइंग एग्स नहीं है कि जब चाहे रख दें।

श्री बी० सत्यनारायण रेड्डी (आन्ध्र प्रदेश) : मुर्गी भी जब चाहें तब नहीं देती ।

श्री चतुरानन मिश्र (बिहार): इसका मैं सख्त विरोध करता हूं । यह पार्लियामेंट के अधिकार पर आघात है । अगर आप इसकी इजाजत देते है तो हमें निश्चित तौर पर इस पर बहस करने की अनुमति भी दें ।

श्री बी० सत्यनारायण रेड्डी (आंध्र प्रदेश): उपसभाध्यक्ष महोदय, यह एक किस्म की पद्धति बना ली है कि जब चाहे सप्लीमेंटरी बिजनेस में नोटीफिकेशन रख दिया जाय । अभी आधा घंटा पहले बताया गया है । मैं नहीं समझता इसकी क्या जरूरत थी । जैसा मेरे साथियों ने कहा, यह पार्लियामेंटरी पद्धति का उल्लंघन है। कई मैम्बरों को यह तक मालूम नहीं कि इसके अन्दर क्या है । मैं समझता हूं कि कि आप अपनी तरफ से पार्लियामेंट के मेम्बरान ने जो राय दी है उसको सरकार तक पहुंचाएं, आइन्दा से इस पद्धति को खत्म करें और इसको वापस लें । कल की लिस्ट में ला सकते है । बारह घंटों में दुनिया रूकने वाली नहीं है । इसलिए आज पेश करने के बजाय कल पेश करें ।

SHRI GHULAM RASOOL MATTO (Jammu and Kashmir): Sir, I have a point of order to make. I do not want to go into the recommendations of the Public Accounts Committee or the ruling by the Chairman. But I have only one submission to make. Parliament is sitting now and there are only two or three days left. This additional import duty entails enhancement of the prices of petroleum and petroleum products. Will the honourable Minister, therefore, assure us that the escalation of the prices of these products will be discussed in the next few days when the Parliament is sitting? This is my submission.

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI M.M. JACOB): Sir, the ruling by the Chairman at that time was in pursuance of what Mr. Nirmal Chatterjee and others had said. They are now referring to the direction from the Chairman that the Government should take care in such situations. And when they said that revenue implication is minimal, as a special case it could be done also. I think the Finance Minister will be able to show that aspect also.

SHRI NIRMAL CHATTERJEE: If he makes a statement, we are entitled to discuss it.

AN HON. MEMBER: What is your ruling? (*Interruptions*)

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): Two points have been made out. One is, instead of including it in the Business for Today why this has been taken up at the fag end of the day, what is the urgency of laying this paper today only? The Minister will explain this in the course of his statement.

No. 2 is about the reference to the ruling That ruling was made in the course, when the Parliament was not in session the Executive has taken the powers to enhance the revenues. So the Chairman in his ruling mentioned that the Parliament should have ample opportunity to discuss the revenue implications. So after laying these Notifications these are going to become the property of Parliament. Parliament has ample opportunity to look into these things and raise a discussion in whatever manner, according to the Rules of Business. And only when they become the property of the House, hon. Members have got every right to go through the property of the House and raise matters according to the Rules of Business.

Now, I call upon the Minister to lay the paper. (*Interruptions*)

This is according to the Business Advisory Committee. (*Interruptions*) There are procedures to raise issues.

SHRI CHATURANAN MISHRA: As protest we are walking out.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): It is up to you.

(*At this stage the hon. Member left the Chamber*)

SHRI NIRMAL CHATTERJEE. If the Minister is not prepared to make a statement, we also walk out.

(*At this stage ,some more hon. Members left the Chamber*)
(*Interruptions*)

Paers Laid on the Table-Contd. Notifications of the Ministry of Finance (Department of Revenueo and related. papesr

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI JANARDHAN POOJARI): First I would lay the statement, and I will also reply to the point raised by some of the hon. Members. Sir, with your permission, I beg to lay on the Table a copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Deartment of Revenue), together with explanatory memoranda thereon under section 159 of the Custom Act, 1962:—

(i) Notifications Nos. 476|86-Customs and 477|86-Customs dated the 4th December, 1986, seeking to fix specific rate of basic duty of Rs. 160 per tonne and auxiliary duty of Rs. 400 per tonne respectively on crude petroleum in place of basic duty of 10 per cent *ad valorem* and auxiliary duty of Rs. 300 per tonne which has been charged hitherto. [Placed in Library. *See* No. LT-3490|86]

(ii) Notification No. 479|86-Customs, dated the 4th December, 1986 (i) amending Notification No. 151-Customs, dated the 15-7-77 so as to withdraw the exemption from the whole of basic customs duty on melting scraop of iron or steel (other than stainless or heat resisting steel) when imported for use in electric arc furnace, (ii) extending the period of validity of Notification No.2-Customs, dated the 1st January, 1979 upto 31st May, 1987; and (iii) amending Notification No. 255|86-Customs dated 17-4-86, so as to fix the basic customs duty on hot briquetted iron when imported for use in electric arc furance at 20 per cent *ad valorem* and also extending its validay period upto 31-5-87.

(iii) Notification No. 480|86-Customs, dated the 4th December, 1986, fixing the basic customs duty rate of 20 per cent *ad-valorem* on melting scrap(other steel (other than stainless steel or steel other than stainless steel or heat resisting steel) when imported for use in such electric arc furnace; valid upto 31st May, 1987.

(iv) Notification No. 481|86-Customs, dated the 4th December, 1986, exempting heavy melting scrap of iron or steel (other than stainless steel or heat resisting steel) when imported for use in electric arc furance or induction furnace, from basic customs duty in excess of 20 per cent *ad-valorem*.

(v) Notification No. 482|86-Customs, dated the 4th December, 1986, exemptign sponge iron when imported for use in an electric arc furnace from basic customs duty in excess of 20 per cent *ad-valorem* and from the whole of the additional duty of customs leviable thereon, in supression of Notification No. 210|85-Customs, dated the 1st July, 1985.

(vi) Notification No. 483|86-Customs, dated the 4th December, 1986, amending Notifications Nos. 312|86-Customs to 314|86-Customs, dated the 13th May, 1986, so as to exempt the materials refeered to in Notifications Nos. 479|2*-Customs to 482|86-Customs dated the 4th December, 1986 mentioned at (ii) to (v) above from the whole of the auxiliary duty of customs leviable thereon.

[Placed in Library. *See* No. LT-3491|86 for (ii) to (vi)]

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): Mr. Minister, it has been circulated. No need to read the whole thing. (*Interruptions*)

SHRI NIRMAL CHATTERJEE. You explain the implications.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): Now, you have laid the paper. Accoring to my ruling, that has become the property of the House. Members have not the right to raise discussion on that. That is my ruling. You have to explain about the urgency of laying the paper today.